[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ADJOURNMENT MOTION *RE* MASS ARREST OF PEOPLE IN GOVERNMENT KOOTHALI ESTATE, PARAMBARA, NORTH MALABAR.

12 noon. MR. SPEAKER :—" The hon. Member Sri P. Kunhirama Kidav has given notice of an adjournment motion which reads as follows :—

' I move that the business of the Assembly do stand adjourned to discuss an urgent matter of public importance, i.e., the indiscriminate mass arrests of people in Government Koothali Estate, Parambara, North Malabar.'

" I wish to know from the hon. Member how it is a matter of urgent public importance and whether the arrest of people in that Estate will not come under ' day-to-day administration ' of the State."

* SRI P. KUNHIRAMA KIDAV :—" Sir, the Government have ordered the eviction of 32 families from the Koothali Estate. These families were staying there for the last ten years. By their own effort, they have converted the lands in their possession into beautiful coconut and pepper gardens fighting all the time with wild animals and malaria. When the eviction suit was filed by the Government on the ground that those lands belonged to the Koothali Estate, those persons approached the Government with a request that those lands be leased out to them. They even gave memoranda to the authorities concerned and even to the Hon. Chief Minister. But it was all in vain. On 3rd December, an *amin* with the help of the police came to the spot and evicted those families and also arrested 7 families and 20 persons. As far as I know, the arrests are going on and the Malabar Special Police is camping there. This is really a matter of public importance."

MR. SPEAKER :—" Is it of such great importance that I should adjourn the entire business of the House for to-day and give preference to the discussion of this subject? We are having discussion on the Governor's Address. The house sits till 1 o'clock to-day and the hon. Leader of the Opposition will speak for one hour. I would like to know how this matter is of such urgent public importance."

* SRI M. NARAYANA KURUP :—" Sir, that this is not a matter of day to-day administration is evident from the fact that it refers to mass arrests."

MR. SPEAKER :—" Even in Madurai about 30 people are reported to have been arrested very recently."

SRI M. NARAYANA KURUP :—" According to the report that we have, these arrests are continuing."

MR. SPEAKER :—" It is open to the hon. Member to put a short-notice question and ask for a half hour debate."

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* SRI M. NARAYANA KURUP :—" The Government are responsible for the present situation. It is entirely due to the conduct of the Government and the provocation which they have indulged in that this question has arisen. There was litigation and the court in its judgment has observed that it is a hard case. We find even in criminal cases Judges leniently recommend remission of sentences. It is no use indulging in legal technicalities. The Government or the landowners are not cultivating. Even the Court has said that it is a hard case. The Government should not evict these people from the land and that too without paying one pie for the improvements which these poor people have effected on the lands. The Government should not behave in this way. They spend thousands of rupees for posting Malabar Special Police and Armed Police there, but I am sorry they have not taken care to see that justice is done to those people. The Malabar Special Police is there. I am not aware of the present position there. If the Hon. Minister has any information, he may kindly give the same to us. I submit that the action of the Government in this matter must be discussed on the floor of the House and for this purpose the adjournment motion given notice of by the hon. Member Sri Kidav deserves consideration by the House."

SRI P. RAMAMURTHI :—" முதலில் இது என்ன சமாசாரம் என்பது எனக்கு விவரமாகத் தெரியாமலிருந்தது. ஸ்ரீ குரூப் பேசின பிறகு இது ஒரு சாதாரண விஷயம் அல்ல என்பது தெரிகிறது. இது சர்க்காரே அங்குள்ள விவசாயிகளை நிலத்திலிருந்து வெளியேற்றிய விஷயம். ஆகவே போலீஸார்கள் எதோ குறுக்கே வந்து சிலரைக் கைது செய்திருக்கிறார்கள் என்று சொல்லக்கூடிய விஷயம் அல்ல. சர்க்காரின் அடிப்படைக் கொள்கையிலேயே தவறு நடந்திருக்கிறது. அதுவும் சர்க்காரின் கொள்கையிலேயே ஒரு புது மாற்றம் இருக்கின்றது. சர்க்கார் தங்களுடைய நிலத்திலிருந்து அவர்களை வெளியேற்ற இத்தனை பேரைக் கைதி செய்திருக்கின்ற காரணத்தினாலே கொள்கை அடிப்படையிலேயே இதைப் பற்றி விவாதிக்க இந்த ஒத்திவைப்புப் பிரேரணை மிக முக்கியமானது என்று நான் கருதுகிறேன்."

* THE HON. SRI C. SUBRAMANIAM :—" I am glad the hon. Leader of the Opposition has supported the Praja Socialist Party's motion. Apart from that, there are two inaccuracies in the motion itself, viz., that there have been ' indiscriminate ' arrests and also ' mass ' arrests. There is absolutely no basis for this statement. The point is this. Certain persons trespassed into forest lands and we did not want to take action ourselves. We wanted to fight it out in a regular court of law so that the rights between parties may be settled. Consequently a suit was filed."

MR. SPEAKER :—" So, the matter is *sub judice* then? "

* THE HON. SRI C. SUBRAMANIAM :—" It is *sub judice* also, not in a civil court but in a criminal court and I shall presently explain the position.

" As I said, a suit was filed in a civil court in order to get the rights between parties settled once and for all. A decree was passed by the court that the Government were entitled to the land

and the trespassers should be evicted. When that decree was being executed, persons who were in possession of the lands and even some other interested parties joined and tried to obstruct the taking over of possession through the ordinary process of law. To execute the decree of the civil court police protection was sought and with the police protection when possession was attempted to be taken, those persons obstructed the *amin* from taking possession of the lands. Therefore, the police had to arrest 8 persons—there were not indiscriminate or mass arrests as is alleged in the motion—and those 8 persons are now before the court. As far as those people are concerned cases are pending against them. I submit even though the case in the civil court is over, cases are still pending in the criminal court and so the matter is *sub judice*. There is no question of ' mass ' or ' indiscriminate ' arrests. It is by the order of civil court which was passed for the purpose of executing its own decree, the police had to interfere."

(Sri T. C. Narayanan Nambiar was seen rising in his seat.)

Mr. SPEAKER :—" After the Hon. Minister has replied, I cannot allow any debate on this matter. We have to continue the discussion on the Governor's Address and as I said the hon. Leader of the Opposition will take one hour. So, I am not going to allow any other hon. Member to speak on this subject. As the matter is clearly *sub judice*, the motion is out of order."

* Dr. K. B. MENON :—" Sir, I accept and submit to the ruling of the Chair. We are not, however, satisfied with the situation. We place the whole responsibility on the Government. The whole issue has been hanging fire for the last so many months and so many years. We have made representations to the Government. If negotiations were carried on, the whole issue could have been settled out of court peacefully. So it is the fault of the Government. After exhausting all legitimate methods only, we took to satyagraha. Even now, the Government have not given due attention to this matter. Therefore, we have no other way of focussing the attention of the Government and the public except by keeping away from the House for a few minutes."

Mr. SPEAKER :—" I think it is not as a protest against the ruling of the Chair."

Dr. K. B. MENON :—" It is not as a protest against the ruling of the Chair, Sir. It is only to focus the attention of the Government to the issue on hand that we have to remain out for a few minutes."

Then, Dr. K. B. Menon followed by the other Members of his party walked out of the House. At this stage, Hon. Ministers, Sri M. Bhaktavatsalam, Sri M. A. Manickavelu Naicker and Sri A. B. Shetty were also seen leaving their seats.

Mr. SPEAKER :—" Are the Hon. Ministers also walking out? " (Laughter.)